

**In the United States District Court
for the Southern District of Georgia
Brunswick Division**

FRANK D. KELLEY,

Petitioner,

v.

WARDEN JEFFRY FIKES,

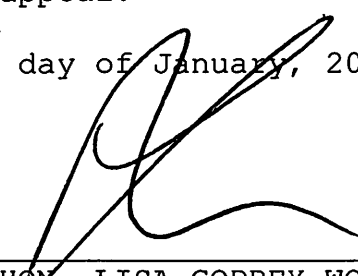
Respondent.

2:23-cv-11

ORDER

After an independent and de novo review of the entire record, the Court concurs with the Magistrate Judge's Report and Recommendation. Dkt. No. 14. Petitioner Frank Kelley ("Kelley") did not file Objections to this Report and Recommendation, and the time to do so has elapsed. Thus, I **ADOPT** the Report and Recommendation as the opinion of the Court. I **GRANT** Respondent's Motion to Dismiss, **DISMISS without prejudice** Kelley's 28 U.S.C. § 2241 Petition, **DIRECT** the Clerk of Court to **CLOSE** this case and enter the appropriate judgment of dismissal, and **DENY** Kelley *in forma pauperis* status on appeal.

SO ORDERED, this 25 day of January, 2024.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA